

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SAYIDEN HUSSEIN MOHAMED,

Plaintiff,

v.

DR. BENJAMIN SANDERS, et al.,

Defendants.

CASE NO. C16-1003-RAJ-MAT

REPORT AND RECOMMENDATION

INTRODUCTION AND SUMMARY CONCLUSION

Plaintiff proceeds *pro se* and *in forma pauperis* in this civil rights matter pursuant to 42 U.S.C. § 1983. By Order dated October 5, 2016, the Court granted plaintiff fourteen days to submit a second amended complaint and advised that, if no second amended complaint was timely filed, the Court would enter an order dismissing this case without prejudice. (Dkt. 16 at 2.) The undersigned subsequently issued an Order that amended and set various deadlines, but failed to take into account the October 5, 2016 Order. (Dkt. 19.) On November 3, 2016, the undersigned corrected the omission, struck the various deadlines set, and granted plaintiff an additional fourteen days from the date of the Order to submit a second amended complaint. (Dkt. 22.) As before, the Court advised plaintiff that, if he failed to timely file a second amended

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1 complaint, the Court would enter an order dismissing this case without prejudice.

2 To date, the Court has not received a second amended complaint from plaintiff.
3 Defendants seek enforcement of the Court's November 3, 2016 Order. (Dkt. 23.) Having now
4 considered defendants' motion and the absence of a second amended complaint, the Court herein
5 recommends King County Defendants' Second Motion to Enforce Court Order (Dkt. 23) be
6 GRANTED and this case DISMISSED without prejudice.¹ A proposed Order accompanies this
7 Report and Recommendation.

8 Objections to this Report and Recommendation, if any, should be filed with the Clerk and
9 served upon all parties to this suit within **twenty-one (21) days** of the date on which this Report
10 and Recommendation is signed. Failure to file objections within the specified time may affect
11 your right to appeal. Objections should be noted for consideration on the District Judge's
12 motions calendar for the third Friday after they are filed. Responses to objections may be filed
13 within **fourteen (14)** days after service of objections. If no timely objections are filed, the matter
14 will be ready for consideration by the District Judge on **December 16, 2016**.

15 DATED this 23rd day of November, 2016.

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18 Mary Alice Theiler
United States Magistrate Judge

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¹ Given this recommendation, the Court also herein STRIKES the noting date for plaintiff's
pending motion requesting an injunction. (Dkt. 15.)